

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHEVRON CORPORATION, :
: Plaintiff, :
: :
v. : 11 Civ. 0691 (LAK)
: STEVEN DONZIGER, et al., :
: :
: Defendants. :
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**DECLARATION OF ANDREA E. NEUMAN IN SUPPORT OF CHEVRON
CORPORATION'S MEMORANDUM OF LAW IN OPPOSITION TO MOTION BY
NONPARTIES JOSHUA RIZACK AND THE RISING GROUP CONSULTING, INC.
FOR PAYMENT OF REASONABLE FEES AND MODIFICATION OF PROTOCOL
DEADLINES**

I, ANDREA E. NEUMAN, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am an attorney licensed to practice law in the State of New York and before this Court. I am a partner at the law firm of Gibson, Dunn & Crutcher LLP, and I am counsel for Chevron Corporation (“Chevron”) in the above-captioned matter. I make this declaration, based on personal knowledge, in Opposition to Joshua Rizack and the Rising Group Consulting, Inc.’s (“Rizack”) Motion for Payment of Reasonable Fees and Modification of Protocol Deadlines. If called as a witness, I could and would testify competently as to the content of this declaration.

2. On October 30, 2019, Mr. Rizack produced 1,504 documents. On November 25, 2019, Mr. Rizack produced 189 documents. Many of the documents in these two productions are near duplicates of each other. In his prior 8 productions, before retaining counsel, Mr. Rizack produced approximately 1,200 documents, although the manner of his production and the number of duplicates does not allow for a precise count.

3. Attached hereto as **Exhibit 1** are excerpts from a true and correct copy the transcript of the September 13, 2019 Hearing before the Court.

4. Attached hereto as **Exhibit 2** are excerpts from a true and correct copy the transcript of the depositions of Josh Rizack, taken on June 26, 2018 and October 5, 2018.

5. Attached hereto as **Exhibit 3** is a true and correct copy of an email dated March 7, 2019 from Joshua Rizack to Steven Donziger with the subject title “Re: List of documents for Chevron”, produced by J. Rizack and bearing Bates number RIZ00000385, attaching a list of documents sent by Joshua Rizack to Steven Donziger of potential documents for production produced by J. Rizack and bearing Bates numbers RIZ00000386-403.

6. Attached hereto as **Exhibit 4** is a true and correct copy of an email chain between Ashley Fernandez and Alex Silverman dated December 6, 2019 with the subject title “RE: Chevron-Rizack Protocol”.

7. Attached hereto as **Exhibit 5** is a true and correct copy of an invoice from Crypsis in the amount of \$59,006.25.

8. Attached hereto as **Exhibit 6** is a true and correct copy of an email chain dated December 13, 2018 from Steven Donziger to Joshua Rizack forwarding an email from Gibson Dunn & Crutcher LLP to Donziger with the subject title “Fw: Chevron Corp. v. Donziger, Deposition of David Yass”, produced by J. Rizack and bearing Bates number RIZ00000086, attaching Chevron’s Notice of Deposition of David Steven Yass and Wellbeck Partners LLC, produced by J. Rizack and bearing Bates number RIZ00000087.

9. Attached hereto as **Exhibit 7** is a true and correct copy of an email chain dated October 2, 2018 from Steven Donziger to Joshua Rizack with the subject tile “Sullivan deposition”

attaching the Sullivan deposition transcript, produced by J. Rizack and bearing Bates number RIZ00000089. The email attaches the transcript of Mary K. Sullivan transcript, produced by J. Rizack and bearing Bates number RIZ00000091.

10. Attached hereto as **Exhibit 8** is a true and correct copy of an email chain dated October 1, 2018 from Steven Donziger to Joshua Rizack with the subject title “here is her affidavit” attaching the September 28, 2018 Sullivan Declaration, produced by J. Rizack and bearing Bates number RIZ00000279, attaching the declaration of Mary K. Sullivan, produced by J. Rizack and bearing Bates number RIZ00000283.

11. Attached hereto as **Exhibit 9** is a true and correct copy of an email dated April 21, 2018 from Joshua Rizack to Steven Donziger with the subject title “Chevron Subpoena”, produced by J. Rizack and bearing Bates number RIZ00003810, attaching Chevron’s First Information Subpoena, Subpoena Duces Tecum, and Subpoena Ad Testificandum to Joshua Rizack, produced by J. Rizack and bearing Bates number RIZ00003811.

12. Attached hereto as **Exhibit 10** is a true and correct copy of an email chain dated April 24, 2018 between Joshua Rizack and Steven Donziger with the subject title “Chevron Subpoena” produced by J. Rizack and bearing Bates number RIZ00003658.

13. Attached hereto as **Exhibit 11** is a true and correct copy of an email chain dated June 21, 2018 between Joshua Rizack and Chevron counsel with the subject title “Subpoena” produced by J. Rizack and bearing Bates number RIZ00000597.

14. Attached hereto as **Exhibit 12** is a true and correct copy of an email dated September 16, 2018 from Joshua Rizack to Steven Donziger forwarding an email from Chevron’s counsel with the subject title “Chevron Corp. v. Donziger, 11-cv-0691 (S.D.N.Y.)”, produced by

J. Rizack and bearing Bates number RIZ00000306, attaching Judge Kaplan's Memorandum and Order dated July 23, 2018, produced by J. Rizack and bearing Bates number RIZ00000308.

15. Attached hereto as **Exhibit 13** is a true and correct copy of an email dated June 19, 2018 from Joshua Rizack to Steven Donziger with the subject title "Re: Chevron Subpoena", produced by J. Rizack and bearing the Bates number RIZ00003584. The email attaches Chevron Corporation's first Information Subpoena, an email from S. Donziger to J. Rizack dated August 17, 2017 with the subject title "ecuador trip budget/please call me about this" and accompanying attachment of travel budget, and an email chain between J. Rizack, S. Donziger, and Katie Sullivan dated February 19, 2018 with the subject title "Files" and accompanying attachments of expenses, produced by J. Rizack and bearing Bates number RIZ00003585.

16. Attached hereto as **Exhibit 14** is a true and correct copy of an email dated June 24, 2018 from Joshua Rizack to Steven Donziger with the subject title "Fw: Subpoena", produced by J. Rizack and bearing the Bates number RIZ00000599, attaching Chevron's First Information Subpoena, an email chain between J. Rizack, S. Donziger, and Katie Sullivan dated February 19, 2018 with the subject title "Files", and an email from S. Donziger to J. Rizack dated August 17, 2017 with the subject title "ecuador trip budget/please call me about this" and accompanying attachment of travel budget, produced by J. Rizack and bearing Bates number RIZ00000600.

17. Attached hereto as **Exhibit 15** is a true and correct copy of an email dated May 30, 2018 from Steven Donziger to Joshua Rizack with the subject title "Chevron subpeona [sic]/important", produced by J. Rizack and bearing the Bates number RIZ00000799.

18. Attached hereto as **Exhibit 16** is a true and correct copy of an email dated June 15, 2018 from Steven Donziger to Joshua Rizack with the subject title "Ltr.USDJ.Kaplan.6.13.18.pdf", produced by J. Rizack and bearing the Bates number

RIZ00003652. attaching Katie Sullivan counsel's letter to Judge Kaplan dated June 13, 2018, produced by J. Rizack and bearing the Bates number RIZ00003653.

19. Attached hereto as **Exhibit 17** is a true and correct copy of an email chain dated March 7, 2019 from Joshua Rizack to Steven Donziger with the subject title "Re: List of documents for Chevron", produced by J. Rizack and bearing Bates number RIZ00000405.

20. Attached hereto as **Exhibit 18** is a true and correct copy of Rizack's search terms report.

21. Attached hereto as **Exhibit 19** is a true and correct copy of an email chain between Alex Silverman and Ashley Fernandez dated December 12, 2019 with the subject title "RE: Chevron-Rizack Protocol".

22. Attached hereto as **Exhibit 20** is a true and correct copy of a document produced by J. Rizack and bearing Bates number RIZACKPJD-0000069.

23. Attached hereto as **Exhibit 21** is a true and correct copy of an email dated July 19, 2017 from Steven Donziger to Joshua Rizack, produced by J. Rizack and bearing Bates number RIZACKPJD-0001635.

24. Attached hereto as **Exhibit 22** is a true and correct copy of an email chain dated October 22, 2016, forwarding an email chain among Steven Donziger, Bill Twist, and John van Merkensteijn with the subject title "FW: Deal terms attached", produced by J. van Merkensteijn and bearing Bates numbers JVM 002161-68.

25. Attached hereto as **Exhibit 23** is a true and correct copy of an email dated May 15, 2017 from Steven Donziger to Joshua Rizack with the subject title "thoughts/investors/important", produced by J. Rizack and bearing Bates number RIZ00001526.

26. Attached hereto as **Exhibit 24** is a true and correct copy of an email chain dated January 7, 2017 between Steven Donziger and Joshua Rizack with the subject title “re: did u travel” produced by J. Rizack and bearing Bates number RIZ00002821.

27. Attached hereto as **Exhibit 25** is a true and correct copy of an email dated February 2, 2017 from Steven Donziger to Alan Lenczner and Joshua Rizack with the subject title “introducing you”, produced by J. Rizack and bearing Bates number RIZ00001473.

28. Attached hereto as **Exhibit 26** is a true and correct copy of an email dated March 4, 2017 from Steven Donziger to Joshua Rizack with the subject title “catch up”, produced by J. Rizack and bearing Bates number RIZ00000925.

29. Attached hereto as **Exhibit 27** is a true and correct copy of an email dated August 25, 2017 from Steven Donziger to Joshua Rizack with the subject title “when talk”, produced by J. Rizack and bearing Bates number RIZ00001560.

30. Attached hereto as **Exhibit 28** is a true and correct copy of an email chain dated February 1, 2017 between Joshua Rizack and Steven Donziger with the subject title “Re: Is this ok to send to Alan”, produced by J. Rizack and bearing Bates number RIZ00000072.

31. Attached here to as **Exhibit 29** is a true and correct copy of an email chain dated December 4, 2016 between Steven Donziger and Joshua Rizack with the subject title “dire situation”, produced by J. Rizack and bearing Bates number RIZ00003479.

32. Attached hereto as **Exhibit 30** is a true and correct copy of an email chain dated August 25, 2016 between Steven Donziger and Joshua Rizack forwarding correspondence between Patricio Salazar Cordova and Steven Donziger with the subject title “Re: Acuerdo de Inversion 200”, produced by J. Rizack bearing Bates number RIZ00003142.

33. Attached hereto as **Exhibit 31** is a true and correct copy of a document titled Agreement for Compensation and Investment of Professional Services dated January 11, 2017, produced by J. Rizack and bearing Bates numbers RIZACKPJD-0000205-212.

34. Attached hereto as **Exhibit 32** is a true and correct copy of a document titled “Contratos, Razones y Recomendaciones” produced by J. Rizack and bearing Bates numbers RIZACKPJD-0000521-22. The certified translated document was marked as Exhibit 5350 to J. Rizack’s Deposition on October 5, 2018.

35. Attached hereto as **Exhibit 33** is a true and correct copy of an email dated February 26, 2018 from Joshua Rizack to Steven Donziger with the subject title “Re: Agreement needs to be signed by Lenczner”, produced by J. Rizack and bearing Bates number RIZ00003841, attaching the agreement produced by J. Rizack and bearing Bates number RIZ00003842.

36. Attached hereto as **Exhibit 34** is a true and correct copy of a document with scans of two checks, produced by J. Rizack and bearing Bates numbers TD Bank 0000365.

37. Attached hereto as **Exhibit 35** is a true and correct copy of an email dated December 5, 2019 email from Michael Yaeger to Andrea Neuman, Ashley Fernandez, and Alex Silverman with the subject title “Crypsis’s budget” requesting an additional \$40,000 to for the forensic expert to complete its analysis.

Executed on this 18th day of December, 2019 at New York, New York.

/s/ Andrea E. Neuman
Andrea E. Neuman